



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(oracle01.016)

PATENT

5 **Applicant:** Bipul Binit Sinha et al. **Paper No.:** 12

Application No: 09/881,505 **Group Art Unit:** 2171

Filed: 6/14/01

Examiner: LeRoux, Etienne Pierre

10 **Title:** *Two-stage commit with queryable caches*

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15 Assistant Commissioner for Patents
Washington, DC 20231

Response to a non-final Office action under 37 C.F.R. 1.111

Summary of the prosecution

20 Examiner mailed a first Office action in the above patent application on 9/18/2000. As filed, the application contained 10 method claims. In his Office action, Examiner rejected claims 1-10 under 35 U.S.C. 102(b) as anticipated by U.S. patent number 5,335,343, Lampson, et al., *Distributed transaction processing using two-phase commit protocol with presumed-commit without log force*, issued 8/2/94, henceforth "Lampson", rejected claims 1-4 under 35 U.S.C. 25 102(b) as anticipated by U.S. patent number 5,917,998, Cabrera, et al., *Method and apparatus for establishing the status of membership sets used in mirrored read and write input/output without logging*, issued 6/29/99, henceforth "Cabrera", or by U.S. patent 5,452,445, Hallmark, et al., *Two-pass multi-version read consistency*, issued 9/19/95, henceforth "Hallmark". Applicants responded to the first Office action on 12/16/03 by amending their claims to 30 distinguish them from Hallmark and traversing the rejections based on Lampson and Cabrera. In a final rejection mailed 3/24/04, Examiner agreed that the claims as amended were patentable over Hallmark but persisted in his rejection based on Lampson. The rejection based on Cabrera is not repeated, but it is also not withdrawn and Examiner does rebut Applicants' arguments regarding Cabrera. Applicants are consequently assuming that Examiner is also persisting in his 35 rejection based on Cabrera. Applicants responded to the final rejection by amending their independent claims to better characterize their invention and again traversing the rejections based on Lampson and Cabrera. Examiner refused to enter the amendment and Applicants filed a Request for Continued Examination on 4/30/04.

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